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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,093	05/21/2007	Ippei Kanno	50478-4300	6313
53044	7590	09/29/2008		
SNELL & WILMER L.L.P. (Matsushita)			EXAMINER	
600 ANTON BOULEVARD			VO, NGUYEN THANH	
SUITE 1400				
COSTA MESA, CA 92626			ART UNIT	PAPER NUMBER
			2618	
			MAIL DATE	DELIVERY MODE
			09/29/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/594,093

**Applicant(s)**

KANNO, IPPEI

**Examiner**

NGUYEN VO

**Art Unit**

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The abstract of the disclosure is objected to because "[PROBLEMS]", "[MEANS FOR SOLVING PROBLEMS]" should not be used. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 6, 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Koh (6,208,837).

As to claim 1, Koh discloses a receiver apparatus in which an operation of a receiver circuit is started before reception of an assigned signal, and stopped, when the reception of the assigned signal ends, until before reception of a next assigned signal (see column 1 lines 8-27, lines 58-67; column 2 lines 1-18), comprising an evaluation unit 8 (see figure 1) operable to evaluate a quality of the received assigned signal (see column 3 lines 38-41); a determination unit 10 (see figure 1) operable to determine an operation start time at which the operation of the receiver circuit is to be started for the reception of the next assigned signal, based on a result of the evaluation by the

evaluation unit (see column 3 lines 43-47); and a control unit 11 (see figure 1) operable to start the operation of the receiver circuit at the determined operation start time (see column 3 lines 50-53), wherein the evaluation unit evaluates whether the quality of the received assigned signal is good, and the determination unit determines the operation start time to be closer to a time at which the reception of the next assigned signal begins, when the quality of the received assigned signal is better (see column 3 line 63 to column 4 line 27; column 4 lines 47-56; column 5 lines 23-36).

As to claim 3, see column 3 line 63 to column 4 line 27; column 4 lines 47-56; column 5 lines 23-36.

As to claim 4, see column 4 line 65 to column 5 line 36.

As to claim 6, see column 3 lines 38-41.

As to claims 11-12, they are rejected for similar reasons as set forth in claim 1 above.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koh.

As to claims 5, 7-8, Koh fails to disclose the quality of the received signal being C/N as in claim 5, channel characteristic as in claim 7, interference signal as in claim 8.

The examiner, however, takes Official Notice that using C/N, channel characteristic, or interference signal to represent quality of the received signal is known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Koh as claimed, in order to improve the C/N, or interference level at the receiver.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koh in view of Arimitsu (US 2007/0004469).

As to claim 10, Koh fails to disclose controlling the start time of the receiver based on measured remaining battery level as claimed. Arimitsu discloses controlling the start time of the receiver based on measured remaining battery level (see paragraphs [0048], [0049]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Arimitsu to Koh, in order to further prolong the battery life (as suggested by Arimitsu).

***Allowable Subject Matter***

8. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 9, the prior art of record fail to disclose or render obvious a pull-in time measuring unit operable to measure a pull-in time necessary for the operation of the receiver circuit to stabilize from when the operation of the receiver circuit is started; and a holding unit operable to hold information showing at least one pull-in time

previously measured by the pull-in time measuring, wherein the evaluation unit performs the evaluation based on the information held in the holding unit.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fujimoto (US 6,263,200); Lerner (5,530,911); Pace (6,160,490) disclose saving battery life in receivers.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGUYEN VO whose telephone number is (571)272-7901. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nguyen Vo/  
Primary Examiner, Art Unit 2618